

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JESSE L. GOODEN,)	CASE NO. 5:12CV2139
)	
PETITIONER,)	JUDGE SARA LIOI
)	
vs.)	MEMORANDUM OPINION
)	
MARGARET BRADSHAW,)	
)	
RESPONDENT.)	

Before the Court is the report and recommendation of Magistrate Judge James R.

Knepp II in the above-entitled action. (Doc. No. 8.) Under the relevant statute:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made. [. . .]

28 U.S.C. § 636(b)(1)(C).

As reflected on the docket, the R&R was filed on April 16, 2014 and mailed to the pro se petitioner on that same day. Under Fed.R.Civ.P. 6(d), an additional three days are added when computing service. Therefore, objections were not due until May 3, 2014, which fell on Saturday. Under Rule 6(a)(1)(C), that extended the filing deadline to May 5, 2014.

No objections have been filed. The failure to file written objections to a Magistrate Judge's report and recommendation constitutes a waiver of a de novo determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S.

140 (1985), *reh'g denied*, 474 U.S. 1111 (1986); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed the Magistrate Judge's report and recommendation and accepts the same. Accordingly, the petition for writ of habeas corpus is **DENIED** and the case is **DISMISSED**. Further, the Court certifies that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

Dated: August 25, 2014



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE